

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. C. R. No. 18 carefully examined, compared and read, and find same correctly en-grossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. C. R. No. 28 carefully examined, compared and read, and find same correctly en-rolled.

STONE of Galveston, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We your Committee on En-grossed Bills, have had S. B. No. 117 carefully examined, compared and read, and find same correctly en-grossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 205 carefully examined, compared and read, and find same correctly en-grossed.

LANNING, Chairman.

#### FORTY-SIXTH DAY

(Continued)

(Wednesday, April 5, 1939)

The Senate met at 10:00 o'clock a. m., and was called to order by President Stevenson.

#### Reports of Standing Committees

Senator Van Zandt, by unanimous consent, submitted at this time the following reports of the Committee on Civil Jurisprudence:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 350, A bill to be entitled "An Act fixing the venue of suits brought on policies issued and contracts made by reciprocal or inter-insurance exchanges organized under the provisions of Chapter 20, Title 78, Revised Civil Statutes of Texas, and declaring an emergency,"

Have had the same under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be mimeographed.

VAN ZANDT, Chairman.

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 552, A bill to be entitled "An Act conveying the title of the State of Texas to Lot No. Eight in Block No. Thirty-eight of the original townsite of Rosenberg, Fort Bend County, Texas, according to the plat of said town, appearing of record in Volume P, Pages 146 and 147 of the Deed records of Fort Bend County, Texas, acquired by the State under tax sale to Mrs. Thelma Moers Forster, to her separate use and benefit; and declaring an emergency,"

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

VAN ZANDT, Chairman.

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 640, A bill to be entitled "An Act providing the Supreme Court may grant certain attorneys who have practiced law in a State of the United States for a period of Twenty

(20) years and hold a license to practice law before the Supreme Court of the United States a license to practice in the State without taking the bar examinations; providing citizens of the State having served in the House of Representatives twelve (12) consecutive years and having served as Speaker at least one term shall be issued a license to practice law; providing this Act shall be cumulative in case of conflict with other Statute and not repealing the former Act; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

VAN ZANDT, Chairman.

Senator Hardin, by unanimous consent, submitted at this time the following reports of the Committee on Counties and County Boundaries:

Austin, Texas,  
March 14, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 170, A bill to be entitled "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than fifty thousand (50,000) and not more than fifty thousand, one hundred (50,100), and in counties having a population of not less than thirty-eight thousand, seven hundred and sixty-five (38,765) and not more than thirty-eight thousand, seven hundred and seventy-five (38,775), and in counties having a population of not less than twenty-nine thousand, two hundred and ten (29,210) and not more than twenty-nine thousand, six hundred and thirty (29,630), and in counties having a population of not less than seventy-seven thousand, seven hundred and fifty (77,750) and not more than seventy-seven thousand, eight hundred (77,800), and in counties having a population of not less than twenty-two thousand, five hundred and ninety (22,590), and not more than twenty-two thousand, eight

hundred and eighty (22,880), and in counties having a population of not less than fourteen thousand, five hundred and fifty (14,550) and not more than fourteen thousand, eight hundred (14,800), and in counties having a population of not less than twenty thousand (20,000) and not more than twenty thousand and fifty (20,050), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the General Law; and declaring an emergency,"

Have had the same under consideration and wish to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 121, by Spears, A bill to be entitled "An Act amending Section 19, subsection h of S. B. No. 5, Acts of the Forty-fourth Legislature, Second Called Session, also known as subsection h of Section 19 of Article 3912e, and all amendments to such Act by adding thereto subsection h-2 affecting the appointment and salaries of deputies in the offices of District Clerks in all counties of 250,000 inhabitants and over, and less than 325,000 inhabitants, according to the last preceding Federal Census, etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Senator Moffett, by unanimous consent, submitted at this time the following report of the Committee on Constitutional Amendments:

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 16,

Have had same under consideration, and I am instructed to report said resolution back to the Senate, with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 15,

Have had same under consideration, and I am instructed to report said resolution back to the Senate with the recommendation that it do not pass.

MOFFETT, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 14,

Have had same under consideration, and I am instructed to report said resolution back to the Senate, with the recommendation that it do not pass.

MOFFETT, Chairman.

#### House Concurrent Resolution 39

The President laid before the Senate, for consideration at this time:

H. C. R. No. 39, Granting Mrs. Lourene Woodruff, of Karnes City, Karnes County, Texas, permission to sue the State of Texas.

The resolution was read.

Senator Roberts offered the following (committee) amendment to the resolution:

Amend H. C. R. No. 39 by Schuennemann by adding

(1) after the word, "Whereas," at the beginning of the first and second paragraphs, the following:

"It is alleged that"

(2) after the words, "serious back injury;" in line six of the first paragraph, the following:

"and it is further alleged that"

(3) after the words, "for any damages," in line two of the second paragraph, the following:

" , if any, "

(4) after the words, "by reason of said," in line seven of the third paragraph, the following:

"alleged"

The amendment was adopted.

The resolution as amended was adopted.

#### House Concurrent Resolution 71

The President laid before the Senate, for consideration at this time, the following resolution:

H. C. R. No. 71, Memorializing the United States Congress to provide certain relief for the cotton growers of the South.

The resolution was read and was adopted.

#### Committee Substitute for Senate Joint Resolution 12 on Passage to Engrossment

The Senate resumed consideration of pending business, same being Committee Substitute for S. J. R. No. 12, relating to collection of taxes for social security purposes, on its passage to engrossment.

Question—Shall the resolution be passed to engrossment?

On motion of Senator Redditt, the resolution was tabled subject to call.

#### Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas, April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. J. R. No. 2, Proposing an amendment to Article 16, Section 49 of the Constitution of the State of Texas, by adding thereto a new Section to be known as Section 49a; "Providing that household furniture of a family shall be protected from forced sale for the payment of all

debts, except for the purchase money thereof, or a part of such purchase money, the taxes due thereon or for the work and material used in the construction or repair thereof when such work or material are contracted for in writing with the consent of the wife or husband in the same manner as is required in making a sale and a conveyance of the homestead; and providing further that if the owner thereof, if a married man, shall not sell such household furniture without the consent of the wife given in such manner as may be prescribed by law; and providing further that no mortgage, trust deed, or other lien on household furniture shall ever be valid, except for the purchase money therefor, or repairs made thereon, whether such mortgage, trust deed, or other lien shall have been created by the husband alone or together with his wife, and providing further that all pretended sales of household furniture involving any condition of defeasance shall be void; providing for the necessary proclamation and appropriate funds to defray the expenses of the proclamation, publication, and election.

H. J. R. No. 8, Proposing an amendment to the Constitution of the State of Texas, to be known as Section 30b of Article 16, providing that the Legislature may enact laws creating Civil Service for State, county and municipal employees, providing rules and regulations therefor, and further providing that the limitation of the duration of office to two (2) years shall not apply to State, county or municipal Civil Service employees.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### House Bill 74 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 74, A bill to be entitled "An Act creating a State Bar, constituting it an administrative agency of the judicial department of the State, defining the powers thereof, prescribing the membership thereof, and prohibiting those not members from practicing law; empowering the Supreme Court to adopt and promulgate rules and regulations for the admission to the practice of law, disciplining, suspending, and disbarring attorneys at

law; for the conduct of the State Bar; prescribing a code of ethics governing the conduct of the members; prescribing and limiting the fees to be paid by members; preserving the right of trial by jury in disbarment proceedings; providing for repeal of all laws in conflict, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 74 by striking out Sections 6 and 6a and inserting in lieu thereof the following:

"Sec. 6. No disbarment proceeding against any attorney shall be instituted without giving such attorney an opportunity to be heard, nor shall any attorney be disciplined or suspended without an opportunity to be heard.

Sec. 7. If any sentence, paragraph or section of this Act shall be held invalid or unconstitutional, such holding shall not invalidate any other sentence, paragraph or section hereof, and the Legislature hereby expressly declares that it would have passed such remaining sentences, paragraphs and sections despite such invalidity.

Sec. 8. All laws or parts of laws in conflict with this Act or with the rules and regulations adopted under this Act by the Supreme Court are hereby repealed."

And by renumbering the emergency clause as Sec. 9.

(2)

Amend H. B. No. 74 by inserting between the word "paid" and the word "for" in the last line of Section 4 the following: "to the Clerk of the Supreme Court to be held by him and expended by the Court or under its direction."

(3)

Amend the caption to conform to the changes made in the body of the bill.

The amendments were adopted severally.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 74 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. All persons who are now or who shall be licensed hereafter to practice law in this State shall register with the Supreme Court within five (5) months from the effective date of this Act. A fee of not exceeding One (\$1.00) Dollar may be charged by the Court of all persons registering, but no further sum shall be charged them in connection with this Act or any rule or regulation adopted pursuant thereto.

"Sec. 2. Any person who is not registered as a lawyer with the Clerk of the Supreme Court, or whose name is stricken from such register, or while suspended from such register under the rules and regulations adopted and promulgated by the Supreme Court as hereinafter provided, or who is not licensed to practice law in this State, is hereby prohibited from practicing law in this State. Lawyers not registering within five (5) months may do so later with leave of the Supreme Court.

"Sec. 3. Within six (6) months from the effective date of this Act and from time to time thereafter, as to the Court may seem proper, the Supreme Court of Texas shall prepare and propose rules and regulations for disciplining, suspending, and disbarring lawyers, and prescribing a code of ethics governing the professional conduct of lawyers. When the Court has prepared and proposed such rules and regulations, it shall submit by mail a copy of each such rule and regulation in ballot form to each person registered with the Supreme Court as a lawyer as provided in Section 1, for a vote thereon. At the end of thirty (30) days from the time such ballots are mailed, the Court shall count the ballots that have been returned; no election shall be valid unless sixty per cent (60%) of the members registered vote on any proposal; and each and all of such rules and regulations that have received the votes of a majority of the members voting (where sixty (60%) per cent of the registered members vote) shall be declared by the Court to be adopted and shall be promulgated by the Court and shall become effective immediately thereon. Such vote shall be open to inspection by any person registered as a lawyer as provided in Section 1 of this Act. No rule or regulation shall be promulgated that has not received, in the manner stated above, the votes of a majority of the persons so registered. Nothing here-

in shall be construed to authorize the prescribing of fees to be charged for legal services.

Section 4. The Supreme Court of Texas shall not adopt or promulgate any rule or regulation abrogating the right of trial by jury in disbarment proceedings, in the county of the residence of the defendant. No suspension from practice shall be ordered for a period of more than three (3) months unless disbarment proceedings shall have been begun in a Court of competent jurisdiction within said period of three (3) months.

Sec. 5. All laws or parts of laws in conflict with this Act or with the rules and regulations adopted under this Act by the Supreme Court are hereby repealed to the extent of such conflict only.

Sec. 6. No disbarment proceeding against any lawyer shall be instituted without giving him an opportunity to be heard, nor shall any lawyer be disciplined or suspended without an opportunity to be heard.

Sec. 7. If any sentence, paragraph, or section of this Act shall be held invalid or unconstitutional, such holding shall not invalidate any other sentence, paragraph of section hereof, and the Legislature hereby expressly declares that it would have passed such remaining sentences, paragraphs and sections despite such invalidity.

Sec. 8. The crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended and such rule is hereby suspended and this Act shall be in force and effect on and after July 1, 1939, and it is so enacted.

On motion of Senator Moore, a full reading of the amendment was omitted.

Senator Small moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—19

Brownlee	Lemens
Collie	Martin
Graves	Metcalfe
Hill	Moffett
Isbell	Nelson
Kelley	Pace
Lanning	Redditt

Roberts	Spears
Shivers	Van Zandt
Small	

## Nays—10

Aikin	Stone
Beck	of Galveston
Burns	Stone
Cotten	of Washington
Hardin	Sulak
Moore	Winfield

## Absent—Excused

Head	Weinert
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Senator Moore offered the following amendment to the bill:

Amend H. B. No. 74 by adding a new section as follows:

"Any lawyer may pay the sum of \$50.00 and owe no further fees, taxes or similar charges."

Senator Small moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—18

Beck	Nelson
Graves	Pace
Hill	Redditt
Isbell	Roberts
Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Van Zandt
Moffett	Winfield

## Nays—10

Aikin	Moore
Burns	Stone
Collie	of Galveston
Cotten	Stone
Hardin	of Washington
Metcalf	Sulak

## Absent

Brownlee

## Absent—Excused

Head	Weinert
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Senator Burns offered the following amendment to the bill:

Amend H. B. No. 74 by adding a new section to read as follows:

"No person may practice or represent any person, firm, corporation, partnership, joint stock company, or

association before the Industrial Accident Board of the State of Texas who is not licensed as a lawyer."

Senator Van Zandt raised a point of order against consideration of the amendment, on the ground that it is not germane to the original purposes of the bill.

## Recess

On motion of Senator Lemens, the Senate, at 12:00 o'clock m., took recess to 2:00 o'clock p. m. today.

## Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

## Report of Standing Committee

Senator Winfield, by unanimous consent, submitted at this time the following report of the Committee on Banking:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 564, A bill to be entitled "An Act amending Subdivision (b) of the first paragraph of Article 2529 of the Revised Civil Statutes of Texas of 1925, amended by Acts of 1937, Forty-fifth Legislature, Page 319, Chapter 164, Section 1, so as to henceforth include within its provisions bonds issued by the Federal Farm Mortgage Corporation provided both principal and interest of said bonds are guaranteed by the United States Government; declaring that all laws in conflict herewith are hereby repealed; fixing the effective date of this Act; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WINFIELD, Chairman.

## House Bill 74 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B.

No. 74, creating a State Bar, etc., on its passage to third reading; Senator Burns having offered an amendment to the bill and Senator Van Zandt having raised a point of order against consideration of the amendment on the ground it is not germane to the original purposes of the bill.

By unanimous consent, Senator Burns withdrew the pending amendment.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 74 by adding a new section as follows:

"Any person who appears in behalf of any other person, firm, corporation, association, joint stock company or association before any agency of the State Government in any matter wherein such agency can enter an order and from which order an appeal may lie to any court in this State shall be deemed to be practicing law.

"This section shall be cumulative of other laws defining the practice of law."

Senator Martin raised a point of order against consideration of the amendment on the ground it is not germane to the original purposes of the bill.

The President overruled the point of order.

Senator Moffett offered the following amendment to the amendment:

Amend amendment by adding thereto: "Provided, however, that no member of the Legislature shall at any time, while a member thereof, practice law, or make pleadings of any kind, for remuneration, before any department of the State Government."

MOFFETT,  
WINFIELD,  
SULAK,  
ROBERTS.

On motion of Senator Van Zandt, the amendment to the amendment was tabled.

Senator Small moved to table the amendment by Senator Moore.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—16

Graves	Roberts
Kelley	Shivers
Lemens	Small
Martin	Stone
Metcalf	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Van Zandt
Pace	Winfield
Redditt	

#### Nays—10

Aikin	Hardin
Beck	Isbell
Burns	Lanning
Collie	Spears
Cotten	Sulak

#### Present—Not Voting

Brownlee

#### Absent—Excused

Head	Weinert
Hill	

Senator Martin offered the following amendment to the bill:

Amend H. B. No. 74 by inserting between the word "regulation" and the word "in" in line 9, of Section 4, the following: "as well as all such other rules and regulations as may have been proposed and filed with the Court, supported by petition signed by at least ten per cent of the registered members of the State Bar."

The amendment was adopted.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 74 by adding at the end of Section 4 thereof the following:

"Any person licensed and registered may pay to the designated treasurer a sum of money from which the fees owed by such person may be taken from time to time as they become due."

The amendment was adopted.

Senator Cotten offered the following amendment to the bill:

Amend H. B. No. 74 by striking out all of Section 6, as amended, and insert in lieu thereof the following:

"Section 6. No disbarment proceeding shall be instituted against any attorney except in the District Court located in the county of said attor-

ney's residence, nor shall any attorney be suspended until such attorney has been convicted of the charge pending against him, in a Court of competent jurisdiction in the county of such attorney's residence."

The amendment was adopted.

Senator Collie offered the following amendment to the bill:

Amend H. B. No. 74, Section 4, after the word "returned" in line 33, by adding the following:

"Provided that no election shall be valid unless a minimum of fifty-one per cent of the members registered shall have voted at the election at which such rule or rules are adopted,"

The amendment was adopted.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 74, page 3, line 3, by striking out the words and figures \$4.00 and insert in lieu thereof the sum of \$1.00.

Senator Van Zandt moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—18

Brownlee	Redditt
Collie	Roberts
Graves	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Van Zandt
Pace	

#### Nays—7

Aikin	Isbell
Beck	Metcalf
Cotten	Sulak
Hardin	

#### Present—Not Voting

Burns	Winfield
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#### Absent—Excused

Head	Weinert
Hill	

On motion of Senator Van Zandt, and by unanimous consent, the caption of the bill was amended to conform to the changes made in the body of the bill.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

The bill was passed to third reading by the following vote:

#### Yeas—21

Beck	Moffett
Brownlee	Nelson
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Van Zandt
Metcalf	Winfield

#### Nays—6

Aikin	Stone
Hardin	of Washington
Moore	Sulak
Pace	

#### Absent—Excused

Head	Weinert
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#### Paired

Senator Burns (present), who would vote "nay" with Senator Hill (absent), who would vote "yea."

#### House Bill 74 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 74 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—24

Beck	Pace
Brownlee	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Nelson	Winfield

#### Nays—4

Aikin	Hardin
Burns	Moore



## Absent—Excused

Head Weinert  
Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—21

Beck	Moffett
Brownlee	Nelson
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Van Zandt
Metcalf	Winfield

## Nays—6

Aikin	Stone
Hardin	of Washington
Moore	Sulak
Pace	

## Absent—Excused

Head Weinert

## Paired

Senator Burns (present), who would vote "nay" with Senator Hill, absent), who would vote "yea."

## Senate Concurrent Resolution 32

Senator Moore, by unanimous consent, offered at this time the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, that the Joint rules prohibiting consideration of Senate bills in the Senate on House bill days be suspended from 7:30 p. m. on April 5th, 1939, until 1 a. m., April 6, 1939.

The resolution was read, and by unanimous consent, it was considered at this time and was adopted.

## Senate Resolution 59

Senator Shivers, by unanimous consent, offered at this time the following resolution:

Whereas, The famous Perricone quadruplets of Beaumont, Texas, and their mother and manager are in the Halls of the Capitol, therefore, be it

Resolved, That they be given the privilege of the floor and invited to address the Senate.

The resolution was read, and by unanimous consent, it was considered at this time and was adopted.

Accordingly, Senator Shivers escorted the Perricone quadruplets to the bar of the Senate, where they rendered the following numbers on their accordions: "Moonlight and Roses" and "Romance Waltz."

## Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives.  
Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 32, Suspending the Joint Rules prohibiting consideration of Senate bills in the Senate on House Bill days from 7:30 p. m. on April 5th, 1939, until 1 a. m., April 6th, 1939.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

## Senate Bill on First Reading

By unanimous consent, the following bill was introduced, read first time, and referred to the committee indicated:

By Senator Head:

S. B. No. 423, A bill to be entitled "An Act validating certain school districts in all counties having a population of not more than Twenty Thousand Eight Hundred and Ten (20,810) and not less than Twenty Thousand Eight Hundred (20,800) according to the Federal Census of 1930, and having a scholastic population of not more than Four Thousand Six Hundred and Fifty (4,650) and not less than Four Thousand Six Hundred and Forty (4,640) according to the scholastic census of 1938-39 as contained in the Public School Directory of the State Department of Education, where districts have voted bonds under a

title of Independent School District and they should have voted bonds under the title of Rural High School District; providing authority for the Attorney General to approve said bond, and declaring an emergency."

Referred to Committee on Education.

#### Report of Standing Committee

Senator Aikin, by unanimous consent, submitted at this time the following report of the Committee on Education:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 670 by Hale, A bill to be entitled "An Act amending Article 2691a, Revised Civil Statutes of Texas of 1925; to provide for a rural school supervisor in counties having a population of forty-six thousand, one hundred (46,100) to forty-six thousand, two hundred (46,200); providing duties of supervisors; limiting the amount of salary; exempting County Superintendents from holding teachers' institutes in certain counties; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

#### Resolution Signed

The President signed in the presence of the Senate, after its caption had been read, the following enrolled resolution:

H. C. R. No. 71, Memorializing the United States Congress to grant certain relief to the cotton growers of the South.

#### House Joint Resolutions on First Reading

The following joint resolutions, received from the House today, were laid before the Senate, read severally first time, and referred to the

Committee on Constitutional Amendments:

H. J. R. No. 2.

H. J. R. No. 8.

#### House Bill 194 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 194, A bill to be entitled "An Act authorizing the State Board of Barber Examiners to approve agreements, fixing minimum prices for barber services and establishing opening and closing hours for barber shops; fixing territorial units for voting such agreements; providing for orders of the Board to remain in effect until replaced by new agreements; providing for the State Board to adopt and enforce rules and orders necessary to administer the Act; providing for the posting of rules or orders; prohibiting the advertising of prices; providing for practice and procedure of the Board with respect to investigations; providing for treatment by the Board of violations of this Act; providing for the Board to administer the provisions of this Act; regulating barber schools or barber colleges; providing for fine or imprisonment for violation of the provisions of this Act; providing for the suspension or revocation of licenses by the Board; and providing for appeal from action of the Board; providing for the payment of expenses of administration of this Act; providing for fees for permits and placing such fees in a special enforcement fund; providing that the provisions of this Act shall be cumulative; providing a saving clause; repealing all laws in conflict herewith and declaring an emergency."

The bill was read second time.

Senator Spears offered the following (committee) amendments to the bill:

(1)

Amend the caption by eliminating in lines three and four the following words: "and establishing opening and closing hours for barber shops."

(2)

Amend section three by eliminating in lines two and three the following words: "and agreements fixing open-

ing and closing hours for barber shops."

(3)

Amend section four, lines five and six by eliminating the following words. "and agreements fixing opening and closing hours."

(4)

Amend section thirteen by eliminating in line three the following words: "or opening and closing hour agreements."

(5)

Amend section eighteen by eliminating in line two the following words: "or closing hours."

Question—Shall the (committee) amendment (1) be adopted?

#### Senate Bill 326 on Second Reading

On motion of Senator Spears, and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 326 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 326, A bill to be entitled "An Act to amend Chapter 184 of the Regular Session of the Forty-fourth Legislature creating the Texas National Guard Armory Board and defining its powers and duties as amended by Chapter 366 of the Regular Session of the Forty-fifth Legislature; creating a Board to be composed of five members; defining its powers and duties; defining the length of term of the membership of said Board; providing that all property and all lease contracts of the former Board shall pass to the new Board and that the obligations of the old Board in connection therewith shall be assumed and performed by the new Board; describing the characteristics of the securities issued and sold by the Board; permitting the Armory Board to construct buildings on sites in Camps Mabry, Hulen and Wolters; providing that a finding of unconstitutionality of any part of this Act shall not affect the validity of the remainder and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 326 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 326 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Winfield

Absent—Excused

Head	Weinert
Hill	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senator Spears moved to reconsider the vote by which the bill was passed.

The motion to reconsider prevailed.

The bill then was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Winfield

Absent—Excused

Head	Weinert
Hill	

**Recess**

On motion of Senator Martin, the Senate, at 3:50 o'clock p. m., took recess to 7:30 o'clock p. m., today.

**Night Session**

The Senate met at 7:30 o'clock p. m. and was called to order by the President.

The President announced that pursuant to S. R. No. 47 and S. R. No. 51 only local and non-contested bills would be considered at this evening's session of the Senate.

**Senate Bill 214 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 214, A bill to be entitled "An Act amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the 42nd Legislature, Second Called Session, and as amended by Acts of the Forty-fifth Legislature, First Called Session; by adding thereto Article 1645d 2, fixing the compensation of the County Auditors of every County having a population of not less than forty-nine thousand one hundred (49,100) and not more than fifty-one thousand (51,000) inhabitants, according to the 1930 Federal Census, and prescribing how same shall be paid, repealing all laws in conflict therewith and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 214 on Third Reading**

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 214 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Graves
Beck	Hardin
Brownlee	Hill
Burns	Isbell
Collie	Kelley
Cotten	Lanning

Lemens  
Martin  
Metcalf  
Moffett  
Moore  
Nelson  
Pace  
Redditt  
Roberts  
Shivers

Small  
Spears  
Stone  
of Galveston  
Stone  
of Washington  
Sulak  
Van Zandt  
Weinert  
Winfield

Absent—Excused

**Head**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin  
Beck  
Brownlee  
Burns  
Collie  
Cotten  
Graves  
Hardin  
Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Martin  
Metcalf  
Moffett

Moore  
Nelson  
Pace  
Redditt  
Roberts  
Shivers  
Small  
Spears  
Stone  
of Galveston  
Stone  
of Washington  
Sulak  
Van Zandt  
Weinert  
Winfield

Absent—Excused

**Head****Senate Bill 261 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 261, A bill to be entitled "An Act making it unlawful to kill quail in Gaines, Terry and Yoakum Counties, Texas; providing the Act shall be in force for a period of five (5) years; repealing all laws in conflict; providing a penalty for the violation of this Act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 261 on Third Reading**

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended

ed and that S. B. No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 287 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 287, A bill to be entitled "An Act amending Chapter 30 of the Local and Special Laws of the Thirty-fifth Legislature of Texas, Regular Session, as amended by Chapter

471 of the Local and Special Laws of the First Called Session of the Thirty-ninth Legislature of Texas, by adding thereto Sections 13b and 13c so as to provide for the funding of certain outstanding road and bridge obligations of McCulloch County, Texas, not to exceed a total principal amount of Sixty-nine Thousand (\$69,000.00) Dollars; validating, ratifying and confirming such outstanding obligations and said refunding bonds; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 287 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 287 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

**Senate Bill 80 Tabled**

On motion of Senator Spears, S. B. No. 80 was tabled.

**Senate Bill 220 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 220, A bill to be entitled "An Act fixing the compensation of county auditors in every county having a population of not less than fifty-one thousand, seven hundred seventy-nine (51,779) nor more than fifty-two thousand (52,000) inhabitants according to the last preceding United States Census; amending Article 1645, Title 34 of the Revised Civil Statutes of 1925, as amended by Acts 1937, Forty-fifth Legislature, First Called Session, page 1827, Chapter 45, Section 3; repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 220 on Third Reading**

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 220 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalfe
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Hill	Pace
Isbell	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 267 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 267, A bill to be entitled "An Act validating proceedings heretofore had by certain cities in Texas, other than home-rule cities, for the issuance on revenue bonds and ad valorem tax bonds for the purpose of procuring funds to construct water-works and sewer systems for such cities, validating the bonds to be issued pursuant to such proceedings and the indentures executed and to be executed as a security for such bonds, authorizing the adoption of the proceedings necessary to complete the issuance of such bonds, validating proceedings had in the incorporation of such cities, providing the manner in which the assessed valuation of taxable property may be determined in such of said cities as have not heretofore levied taxes, repealing all conflicting acts, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 267 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 267 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 284 Tabled

On motion of Senator Spears, S. B. No. 284 was tabled.

#### Senate Bill 121 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 121, A bill to be entitled "An Act amending Section 19, subsection h of Senate Bill No. 5, Acts of the Forty-fourth Legislature, Second Called Session, also known as subsection h of Section 19 of Article 3912e, and all amendments to such Act by adding thereto subsection h-2 affecting the appointment and salaries of deputies in the offices of District Clerks in all counties of 250,000 inhabitants and over, and less than 325,000 inhabitants, according to the last preceding Federal Census, and in any county of a larger population; providing for the method of such appointments and salaries in such counties by the filing of an application with the district judges of such counties, to be accompanied by the statement of such district clerks; providing for the order and approval by the district judges in such counties of the appointment of such deputies and the salaries to be paid such deputies; providing for the order of the Commissioners' Courts of such counties for the payment of said salaries of such deputies out of certain funds of such counties; providing for the oath to be taken by such deputies; providing for the method of discharge or removal of such deputies, and for the increase or decrease of the number of such deputies; providing for the repeal of all laws in conflict herewith; providing for a saving clause and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 121 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 121 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Hill	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalfe	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 302 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 302, A bill to be entitled "An Act to amend the law relating to juveniles, Title 82, Revised Civil Statutes, 1925, by adding thereto another paragraph or section to be known as Article 5139B, providing that the judges of the several district courts and criminal district courts, the judges of the county courts at law, and the county judge, in any county of this State having a population of not less than 290,000 nor more than 320,000 according to the last preceding Federal Census, or any county which may hereafter have

such population, shall constitute a juvenile board for such county; providing for the compensation, and the payment thereof, of the judges of the county courts at law and the county judge, as members of such board, and prescribing their powers and duties; providing that the salaries of the judges of the several district courts and criminal district courts, as members of such board, shall remain as provided by law; providing that all laws and parts of laws in conflict with this Act are repealed; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 302 on Third Reading**

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Hill
Collie	Isbell



Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Stone
Metcalf	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Weinert
Roberts	Winfield

Absent—Excused

Head

**Senate Bill 385 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 385, A bill to be entitled "An Act validating the incorporation of the City of Grand Saline, Texas; validating the extensions of its boundaries; validating all renditions, assessments, or collections of taxes in said area, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 385 on Third Reading**

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 385 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 318 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 318, A bill to be entitled "An Act providing for the amount that may be allowed by county boards of trustees to the county superintendent of public instruction for office and traveling expenses in certain counties having a population of not less than 13,454 inhabitants and not more than 13,458 inhabitants, according to the last preceding Federal Census; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 318 on Third Reading**

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 318 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused •

#### Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

#### Head

#### Senate Bill 319 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 319, A bill to be entitled "An Act to fix the maximum tax rate for school purposes in all independent and common school districts in counties having a population of not less than 12,188 and not more than 12,195 inhabitants, according to the last preceding Federal Census, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 319 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 319 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

#### Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

#### Head

#### Senate Bill 329 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 329, A bill to be entitled "An Act to amend Chapter 427, Acts of the First Called Session of the Forty-fourth Legislature of the State of Texas, being the Act creating the Nueces River Conservation and Reclamation District, so as to provide that the whole of Webb County shall be removed from and excluded from the provisions thereof; to create the Webb County Conservation and Reclamation District under the authority of Section 59 of Article 16, of the Constitution of Texas; defining the powers and duties of said Districts; providing for directors, and organization and operation of said District and the authority and duties of said Directors; defining the area of said District; providing for certain duties of the State Board of Water Engineers and the Governor of the State; providing that said District shall be governed by the provisions of this Act and all General Laws of the State of Texas; providing that such District be a governmental agency, body politic and corporate; authorizing the acquisition of lands, leases, buildings and property necessary for the purposes for which said District is created; vesting such body corporate with the right and powers of eminent domain; providing a constitutional saving clause, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 329 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 329 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 340 on Second Reading

The President laid before the Senate on its second reading passage to engrossment:

S. B. No. 340, A bill to be entitled "An Act granting permission to I. H. Mitchell and wife, Mrs. I. H. Mitchell, to bring suit against the State of Texas and the Department of Public Safety of the State of Texas in a court of competent jurisdiction for alleged damages resulting by reason of alleged injuries to the automobile of the said I. H. Mitchell and to the person of Mrs. I. H. Mitchell by reason of an alleged accident due and owing to the alleged carelessness and negligence of Carroll Monroe in Palo Pinto County on or about November 25, 1936, while said Carroll Monroe was an officer, member, agent, employee, and servant of the Texas Highway Patrol and the Department of Public Safety of the State of Texas; providing that any judgment so recovered may be paid out of the funds of the Department of Public Safety of the State of Texas; providing that if any provision of this Act shall be invalid, the validity of the other provisions thereof shall not be affected thereby; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 340 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 340 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 334 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 334, A bill to be entitled "An Act authorizing the Commissioners' Court of McMullen County to pay bounties on coyote scalps in McMullen County to preserve game in said county; enacting the necessary regulations in reference thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 334 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 334 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington

Sulak	Weinert
Van Zandt	Winfield

Absent—Excused

Head

**Senate Bill 367 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 367, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than 10,399, and not more than 10,499 according to the last preceding Federal Census, to allow each county commissioner certain traveling expenses while traveling on official business, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 367 on Third Reading**

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Beck
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Brownlee	Nelson
Burns	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Absent—Excused

Head

**Senate Bill 394 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 394, A bill to be entitled "An Act relating to marks and brands of livestock in Brazoria County only; amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new Section to be known as Article 6899d, requiring that each owner of any livestock mentioned in Chapter 1, of Title 121, of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the County Clerk; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months after taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after Act shall be effective and considered the recorded marks and brands in each County; and further providing that the County Clerk shall publish this Act in some newspaper in general circulation in the County for a period of thirty (30) days; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 394 on Third Reading**

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 355 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 355, A bill to be entitled "An Act providing for additional traveling expenses for County Superintendents of Public Instruction in counties of Texas having a population of not less than 15,725 and not more than 15,775, according to the last preceding Federal Census, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 355 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 355 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 410 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 410, A bill to be entitled "An Act amending Subdivision 23 of Article 199, Title 8, Revised Civil Statutes of Texas, and providing for changing and prescribing terms and times of holding Court in the Twenty-third Judicial District of Texas, validating and continuing all process, writs, bonds, recognizances and making them returnable to the terms of Court in the several counties in said District as herein fixed, to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act, enacting proper provisions relative to any term of Court that may be in session when this Act takes effect."

The bill was read second time and was passed to engrossment.

#### Senate Bill 410 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 410 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalfe	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Head

#### Senate Bill 412 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 412, A bill to be entitled "An Act providing for rural school supervisor in counties having a population of not less than two thousand seven hundred fifty (2,750) and not more than three thousand (3,000) inhabitants according to the last preceding Federal Census, in lieu of Teachers' Institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how he shall be paid; providing other things incidental to said purpose; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 412 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalfe
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Hill	Pace
Isbell	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 408 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 408, A bill to be entitled "An Act creating and establishing Jackson County Road District Number Eleven in Jackson County, Texas, under Article III, Section 52 of the Constitution for the purpose of the construction, operation, and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds vote of the qualified electors who own taxable property in said district and who have duly rendered the same for taxation voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax

for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that portions of the district hereby created are also included in other road districts having outstanding bonds shall not affect the district hereby created or its powers hereby granted; and providing that liability of territory included in this district and other road districts which have issued bonds shall not be affected and for the levy, assessment and collection of taxes on said territory for said bonds; and providing that this Act shall not validate said bonds nor be construed as authorizing the creation of indebtedness in excess of the limit established by Article III, Section 52; determining that all of the lands in said district will be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other General or Special Law; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

The bill was read second time and was passed to engrossment:

**Senate Bill 408 on Third Reading**

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 408 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston



Stone of Washington Sulak	Van Zandt Weinert Winfield
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Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 48 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 48, A bill to be entitled "An Act validating an election held under the provisions of Chapter 339, Acts Regular Session, Forty-fourth Legislature, transferring certain lands from the Evans Common School District No. 7, in Mills County, Texas, to The Mullin Independent School District, Mills County, Texas, and to the Jones Valley Common School District No. 12, in Mills County, Texas, and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend bill by striking out all before and all after enacting clause and inserting the following:

#### A BILL to be entitled

AN ACT validating all elections heretofore held under the provisions of Chapter 339, Acts of the Regular Session of the Forty-fourth Legislature of Texas, in common school districts located in any county having a population of not less than 8,250 and not more than 8,500, according to the last preceding Federal Census transferring lands from one school district to another and/or assuming any bonded indebtedness of such districts; validating all acts of the official bodies of said counties in calling said elections, and validating all acts of the election officials holding said elections; provided that this Act shall not affect any election which is now being contested in the courts of this State; and declaring an emergency.

Section 1. That all elections heretofore held under the provisions of Chapter 339, Acts of the Regular Session of the Forty-fourth Legislature of Texas, in any common school district located in any county in Texas having a population of not less than 8,250 and not more than 8,500, according to the last preceding Federal Census, transferring land from such common school districts to other school districts, and/or assuming any bonded indebtedness of such districts be, and all such elections are hereby in all things ratified, validated and confirmed, and all acts of the official bodies of said counties, and all acts of the election officials holding said elections, are hereby in all things validated, ratified and confirmed; provided that this Act shall not affect any election which is now being contested in the courts of this State.

Sec. 2. The fact that the provisions of Chapter 339, Acts of the Regular Session of the Forty-fourth Legislature of Texas, provide that the Legislature of Texas shall enact a bill ratifying and confirming any and all elections held under the provisions of said Chapter 339 before any district affected by said election shall be valid, creates an emergency demanding that the constitutional rule requiring that bills be read on three several days be suspended, and said rule is hereby suspended and this Act shall be in full force and effect from and after its passage, and it is so enacted.

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 48 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 328 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 328, A bill to be entitled "An Act to prohibit the sale of any fresh water fish caught or trapped from the fresh waters of certain counties, fixing a penalty, repealing all laws of parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 328 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 328 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalfe
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

**Senate Bill 422 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 422, A bill to be entitled "An Act providing that all counties within this State having a population in excess of fifty-three thousand five hundred inhabitants and less than fifty-seven thousand inhabitants may upon an order made by its Commissioners' Court for this purpose provide and maintain a County Law Library; and that such Library may upon an order made by said Commissioners' Court be maintained and supported by a trial fee to be assessed and collected in all cases filed in the County and District Courts of said Counties, said fee not to exceed the sum of one dollar for each case filed and granting to said Commissioners' Court the power and authority to establish and maintain said Law Library as a County Library at the county seat of said counties; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 422 on Third Reading**

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 422 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 419 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 419, A bill to be entitled "An Act conferring additional powers on school districts having a relatively large percentage of delinquent taxes including power to borrow money and issue obligations secured by such taxes and to make supplementary pledges of taxes hereafter becoming delinquent to secure the release of funds for such obligations; providing that the provisions of this Act may be cumulative of all other laws, but that in the event of conflict, the provisions hereof shall prevail; enacting provisions incident to and relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 419 on Third Reading**

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 419 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 394 on Final Passage**

Senator Stone of Galveston moved to reconsider the vote by which S. B. No. 394 was passed.

The motion prevailed.

Senator Stone of Galveston offered the following amendments to the bill:

(1)

Amend S. B. No. 394 by striking out all below the enacting clause and substituting in lieu thereof the following:

“Section 1. This Act shall apply to Brazoria County only. In said County each owner of any livestock mentioned in Chapter 1 of Title 121, of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect have his mark and brand for such stock recorded in the Office of the County Clerk of said County. Such owners shall so record such marks and brands whether the same have been heretofore recorded or not. The owner shall have the right to have his mark and brand recorded in his name who according to the present records of said County first recorded the same in the County, or in event it can not be ascertained from the records who first recorded same in the County, then the person who has been using such mark and brand the longest shall have the right to have the same recorded in his name. After the expiration of six (6) months from the taking effect of this Act all records of marks and brands now in existence in said County shall no longer have any force or effect and after the expiration of six (6) months only the records made after this Act takes effect shall be examined or considered in recording marks and brands in said County. Immediately upon the taking effect of this Act the County Clerk of said County shall have this Act published in some newspaper of general circulation in the County for a period of thirty (30) days, which publication shall be paid for by the County out of the General County Fund.

“Sec. 2. The public importance of the purposes herein contemplated, and the fact that there is now no law available for the accomplishment of such purposes, and the near approach of the end of this session creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act shall take effect and be in force from and after the passage thereof, and said rule is so suspended, and it is so enacted.”

(2)

Amend S. B. No. 394 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"An Act relating to marks and brands of livestock in Brazoria County only; amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new section to be known as Article 6899d requiring that in said County each owner of any livestock mentioned in Chapter 1, of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the County Clerk of said County; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in said County; and further providing that the County Clerk of said County shall publish this Act in some newspaper in general circulation in the County for a period of thirty (30) days; and declaring an emergency."

The amendments were adopted unanimously.

The bill was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

## Senate Bill 147 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 147, A bill to be entitled "An Act to amend Article 1839 of R. C. S. of 1925, as amended by S. B. No. 57, Chapter 67, Acts of the Regular Session of the Forty-third Legislature, so as to fix the time for filing the Transcript and Statement of Facts in the Court of Civil Appeals and providing for an extension of such time for cause shown; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 147 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 147 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Hill	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent—Excused

Head

**Senate Bill 221 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 221, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be known as subdivision 104, providing for the creation of private corporations for the purpose of processing, scouring, buying and selling, wool, hair, and mohair, for profit, and declaring an emergency."

The bill was read second time.

Senator Kelley offered the following (committee) amendment to the bill:

Amend S. B. No. 221 by striking out the words "and to engage in all things necessary in connection with the transaction of such business".

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 221 on Third Reading**

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 221 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Hill
Collie	Isbell

Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Stone
Metcalf	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Weinert
Roberts	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 190 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 190, A bill to be entitled "An Act providing for preference of employment in all State departments of this State of honorably discharged soldiers, sailors, nurses, and marines of the Army and Navy of the United States in the late Spanish-American and Philippine Insurrection Wars, in the China Relief Expedition, and the late World War of the Allied Nations; providing per cent of preference; providing mode and manner of ascertaining said per cent; providing qualifications for applicant; providing remedies in case of refusal to make such appoint-

ments; and providing exemptions from said Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 190 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 190 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 114 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 114, A bill to be entitled "An Act to amend Section 8, of Senate Bill 165, Chapter 165, passed by the Forty-second Legislature, and all amendments thereof with respect to bonds of officers; providing that such bonds may not be required where the corporation carries fidelity insurance as to such officer or employee; repealing laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 114 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 114 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Head

**Senate Bill 112 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 112, A bill to be entitled "An Act to amend Article 498, Chapter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, relating to fidelity bonds of certain officers and employees of state banking institutions; providing that fidelity insurance policies carried by any bank may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 112 on Third Reading**

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 50 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 50, A bill to be entitled "An Act amending Article 7057-a, of the Revised Civil Statutes of 1925, relating to tax on production of oil, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 50 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf
Hardin	Moffett



Moore	Stone
Nelson	of Galveston
Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 51 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 51, A bill to be entitled "An Act amending Article 7057-a of the Revised Civil Statutes of 1925 relating to collection of tax on production of oil, and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 51, page 1, line 29, by striking out the period after the word "shown" in said line and substitute therefor a comma and add thereafter the following: "provided further that such report or audit may be admitted in evidence only against the party by or for whom it was made."

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 51 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 52 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 52, A bill to be entitled "An Act amending Article 7047-b of the Revised Civil Statutes of 1925, relative to collection of tax on gas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 52 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lanning
Beck	Lemens
Brownlee	Martin
Burns	Metcalfe
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Hill	Redditt
Isbell	Roberts
Kelley	Shivers

Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield
Stone	
of Washington	

Absent—Excused

Head

**Senate Bill 115 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act amending Section 22 of S. B. No. 111, Chapter 61, passed at the Second Called Session of the Forty-first Legislature, regulating Building and Loan Associations with respect to bonds of officers and employees of Building and Loan Associations; providing that fidelity insurance policies carried by any association may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 115 on Third Reading**

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

## Senate Bill 236 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 236, A bill to be entitled "An Act amending Article 1932 of the Revised Civil Statutes of Texas, of 1925, as amended, so as to provide for a salary for special judge in probate matters, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 236 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 236 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

## Senate Bill 112 on Final Passage

Senator Martin moved to reconsider the vote by which S. B. No. 112 was passed.

The motion to reconsider prevailed.

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 112 by adding after the word "position," in line "13" the following:

"Provided that said bonds shall be made by a surety company having a permit to do business in Texas." And amend caption to conform.

The amendment was adopted unanimously.

The bill was passed by the following vote:

## Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Head

**Senate Bill 187 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 187, A bill to be entitled "An Act providing that the salary and expenses of the official Court Reporter in each Judicial District in this State having four or more counties, and having a population in excess of 107,500 according to the latest or any future United States Census may, within the discretion of the Commissioners' Court, be paid out of the Jury Fund; and declaring an emergency."

The bill was read second time.

Senator Burns offered the following amendment to the bill:

Amend S. B. No. 187, line 16, by adding the following after the figures 107,500: "and 86,932." And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 187 on Third Reading**

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 187 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Hill
Collie	Isbell

Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Stone
Metcalf	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Weinert
Roberts	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 298 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 298, A bill to be entitled "An Act setting out the authority of the Texas State Parks Board in all matters pertaining to land titles and interests, authorizing the acceptance, rejection, or reconveyance of park sites, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 298 on Third Reading**

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 298 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 49 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 49, A bill to be entitled "An Act amending Article 7047-b, of the Revised Civil Statutes of 1925, relating to collection of tax on gas, and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. 49, page 1, line 29, by striking out the period after the word "shown," in said line, and substitute therefor a comma, and add thereafter the following:

"provided further that such report or audit may be admitted in evidence only against the party by or for whom it was made."

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 49 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf
Hardin	Moffett

Moore	Stone
Nelson	of Galveston
Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield

Absent—Excused

Head

**Senate Bill 191 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 191, A bill to be entitled "An Act amending Section 67 of Chapter 61, Acts of the Second Called Session of the Forty-first Legislature, relating to foreign building and loan associations doing business in this State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 191 on Third Reading**

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Nays—2

Burns

Moore

Absent—Excused

Head

**Senate Bill 235 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 235, A bill to be entitled "An Act amending Article 1934 of the Revised Civil Statutes of Texas, of 1925, as amended, so as to provide for a salary for the special judge, elected or appointed to serve in place of the regular judge, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 235 on Third Reading**

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 235 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lemens
Beck	Martin
Brownlee	Metcalf
Burns	Moffett
Collie	Moore
Cotten	Nelson
Graves	Pace
Hardin	Redditt
Hill	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears

Stone of Galveston	Sulak Van Zandt
Stone of Washington	Weinert Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 336 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 336, A bill to be entitled "An Act to amend Section 1997 of the Revised Civil Statutes of Texas, 1925, relating to pleadings in civil suits in District and County Courts."

The bill was read second time.

Senator Cotten offered the following amendments to the bill:

(1)

Amend S. B. No. 336 by adding after Clerk in sub-Section 4 the following: "The Clerk of said Court shall not enter any charges for said duplicate copy."

(2)

Amend S. B. No. 336 by the following:

"Its passage, and it is so enacted" and insert in lieu thereof the following "Jan. 1st, 1940."

The amendments were severally adopted.

The bill was passed to engrossment.

**Senate Bill 336 on Third Reading**

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 265 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 265, A bill to be entitled "An Act to amend Section 4, Chapter 165, regulating foreign and domestic corporations, enacted at the Regular Session of the Forty-second Legislature, Acts of 1931, as amended (Acts 1937) of the Forty-fifth Legislature in S. B. No. 235 with respect to the publication of a statement by the corporation affected thereby; requiring and regulating the making and publication annually of a statement of the condition of such corporation with respect to its assets and liabilities; providing that such report, when filed, shall not be open to the public; exempting certain corporations from such requirement of publication; fixing a fee for filing such statements with the Banking Commissioners; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 265 on Third Reading**

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 265 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—91

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 214 on Final Passage**

Senator Isbell moved to reconsider the vote by which S. B. No. 214 was passed.

The motion to reconsider prevailed.

Question—Shall the bill be passed?

**Senate Bill 272 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 272, A bill to be entitled "An Act to repeal Section 17 of Art. 8308, Revised Civil Statutes of 1925, [relating to workmen's compensation insurance] and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 272 on Third Reading**

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 272 be placed on its third reading and final passage.

The motion prevailed by the following vote:



## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Beck	Nelson
Brownlee	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Weinert
Moore	Winfield

## Nays—2

Aikin	Burns
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## Absent—Excused

## Head

## Senate Bill 373 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 373, A bill to be entitled "An Act providing for the sale of public lands along the eastern boundary of the State of Texas and the western boundary of the State of Oklahoma; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 373 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 373 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

**Senate Bill 299 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 299, A bill to be entitled "An Act approving the Quintana State Park offered by the citizens of Brazoria County, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 299 on Third Reading**

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 299 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—96**

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

**Absent—Excused****Head**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—29**

Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Hill	Pace
Isbell	Redditt
Kelley	Roberts

Shivers	Stone
Small	of Washington
Spears	Sulak
Stone	Van Zandt
of Galveston	Weinert
	Winfield

**Nays—1**

Aikin

**Absent—Excused****Head****Senate Bill 189 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 189, A bill to be entitled "An Act to amend Article 4225 of the Revised Civil Statutes of Texas, 1925, so as to provide for annual accounts and the matter to be shown therein and that guardians shall show in such annual accounts the source and nature of receipts and disbursements, showing principal and income separately, and include in their accounts by reference to former accounts or otherwise an accurate and detailed description of all property, real and personal, on hand belonging to the ward and the condition and use being made thereof, and to require the exhibition of all securities owned by the ward to the Court or to a person designated by the Court, or the furnishing with their accounts of certain other proof that such assets, together with the cash due the ward, are on hand, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend S. B. No. 189 by adding after the words "affidavit of" in line 60 on page one the following "the guardian of such estate."

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 189 on Third Reading**

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

## Senate Bill 400 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 400, A bill to be entitled "An Act to amend Article 7057b, Section 2, Revised Civil Statutes, H. B. No. 11, Acts of the Regular Session, Forty-third Legislature, so as to clarify the kind of suits to be included in a class action as provided in Section 2 of said Article; to provide that suit

may be filed in a Court of competent jurisdiction in Travis County, Texas, when the total taxes accrued comes in the jurisdiction of said Court; to provide that original petitions may be amended to include additional taxes paid under protest; providing that the provisions of this Act shall apply to taxes paid under protest and where suits are now pending testing the validity and correctness of such taxes, and declaring an emergency."

The bill was read second time.

Senator Stone of Washington offered the following (committee) amendment to the bill:

Amend S. B. No. 400 by adding to Section 2a after the word "action" the following: Provided further, that if an appeal is taken from the final judgment rendered in such suit, the taxpayer will not be relieved of the duty of continuing paying said taxes under protest pending the appeal of said case; however, it will not be necessary for such taxpayer to file suit within ninety (90) days after the payment of such taxes, but the disposition of such taxes shall be governed by the outcome of the original suit.

The amendment was adopted.

The bill was passed to engrossment.

## Senate Bill 400 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 400 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

## Nays—1

Aikin

## Absent—Excused

## Head

## Senate Bill 402 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 402, A bill to be entitled "An Act granting to all taxpayers in this State discounts for the advance payment of ad valorem taxes due to State and all governmental and political sub-divisions and taxing districts of the State as authorized in Section 20, Article 8 of the Constitution of this State adopted August 23rd, 1937, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 402 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 402 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—21

Aikin	Moffett
Beck	Moore
Brownlee	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hill	Small
Isbell	Stone
Kelley	of Washington
Lanning	Van Zandt
Martin	Weinert

## Nays—9

Burns	Spears
Hardin	Stone
Lemens	of Galveston
Metcalf	Sulak
Nelson	Winfield

## Absent—Excused

## Head

## Senate Bill 55 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 55, A bill to be entitled "An Act to amend Article 1055 of the Code of Criminal Procedure of Texas; and declaring an emergency."

The bill was read second time.

Senator Nelson offered the following amendment to the bill:

Amend S. B. No. 55, line 15, by striking out the following: "and committed, acquitted, of found guilty and the case appealed," and substitute therefor the following: "Before a jury and convicted and committed to jail upon being unable to pay such fine and costs as may have been assessed against him."

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 55 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—1

Brownlee

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Beck	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalfe
Hardin	Moffett
Hill	Moore
Isbell	Nelson
Kelley	Pace

Redditt  
Roberts  
Shivers  
Small  
Spears

Stone  
of Galveston  
Sulak  
Van Zandt  
Weinert  
Winfield

Nays—4

Aikin  
Brownlee  
Burns

Stone  
of Washington

Absent—Excused

Head

#### Senate Bill 420 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 420, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 420 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 415 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 415, A bill to be entitled "An Act to amend Chapter 1, Title 116 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new section to be known and referred to as Article 6673-b providing that the State Highway Commission be authorized and empowered in its discretion to enter into contracts or agreements with the governing bodies of incorporated cities, towns, and villages relative to the location, relocation, construction, reconstruction maintenance, control, supervision, and regulation of designated State highways within or through the corporate limits of such incorporated cities, towns, and villages, and fixing liabilities of the parties; providing authority to such incorporated cities, towns, and villages to enter into such contracts or agreements with the State Highway Commission; providing that this Act shall be cumulative of other laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 415 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be

read on three several days be suspended and that S. B. No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Senate Bill 418 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 418, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission to acquire by

purchase lands, water rights, easements, right of ways and property of any person in this State; providing for the acquiring of lands, water rights, easements, right of ways and property of any person or corporation by condemnation proceedings; providing the manner and method of such condemnation proceedings; providing for the payment of damages and costs, and declaring an emergency."

The bill was read second time and was passed to engrossment:

#### Senate Bill 418 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 418 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Moffett
Cotten	Moore
Graves	Pace
Hardin	Redditt
Hill	Roberts
Isbell	Shivers
Kelley	Small

Stone	Sulak
of Galveston	Van Zandt
Stone	Weinert
of Washington	Winfield

Nays—4

Aikin	Nelson
Metcalf	Spears

Absent—Excused

Head

#### Senate Bill 276 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 276, A bill to be entitled "An Act providing for the establishment of a State Board of Embalming, providing for the appointment and terms of the members thereof and for their removal, granting powers and imposing duties upon said Board; and declaring an emergency."

The bill was read second time.

Senator Burns offered the amendment to the bill:

Amend S. B. No. 276 line 20—after the word each—by adding the following—and shall be confirmed by the Senate of the State of Texas.

And amend the caption accordingly.

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 276 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lemens
Beck	Martin
Brownlee	Metcalf
Burns	Moffett
Collie	Moore
Cotten	Nelson
Graves	Pace
Hardin	Redditt
Hill	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears

Stone	Sulak
of Galveston	Van Zandt
Stone	Weinert
of Washington	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**Senate Bill 370 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 370, A bill to be entitled "An Act amending Article 4725 of the Revised Civil Statutes of Texas of 1925, as amended, Acts 1937, Forty-fifth Legislature, page 330, Chapter 168; designating the securities in which the funds of life insurance companies may be invested; providing that life insurance companies may invest funds in any bonds or interest bearing warrants issued by authority of law by any county, city, town, etc., and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend Sub-division 3 of Section 1 of S. B. 370, amending Article 4725 by striking out of said Sub-section all of the first paragraph and inserting in lieu thereof the following:

"3. Any life insurance company of the State, for the purpose of investing its surplus or any part thereof, over and above the amount of its reserves and capital stock, may purchase and hold as collateral security, or otherwise, and sell and convey the capital stock, bonds, debentures, bills of exchange or other commercial notes or bills and securities of any solvent dividend paying corporation which has not defaulted in the payment of any of its obligations for a period of five years, the current market value of which such stock, bonds, bills of exchange, or other commercial notes or bills and securities shall be at all times during the continuance of such loan at least fifty per cent more than the sum loaned thereon; provided that no such company shall loan or invest in its own stock, nor more than five per centum of its capital and surplus in the stock of any corporation, and provided further that no such company shall invest any of its funds in any stock on account of which the holders or owners thereof may in any event, be or become liable to any assessment except for taxes, nor in the stock of any oil company or manufacturing company unless such corporation has capital stock of not less than five million dollars and unless such corporation has paid dividends for a period of five years and has not defaulted in the payment of any of its debts for a period of five years."

And amend the caption accordingly.

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 370 on Third Reading**

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 370 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalfe
Graves	Moffett
Hardin	Moore
Hill	Nelson



## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

## Senate Bill 317 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 317, A bill to be entitled "An Act authorizing the commissioners courts in counties having a population of not less than 12,190 inhabitants and not more than 12,195 inhabitants, according to the last preceding Federal Census, to levy a direct tax of not more than Ten (10c) Cents on the One Hundred (\$100.00) Dollars assessed valuation for health

purposes, for the purpose of building, equipping and maintaining a hospital; providing that such money so collected be spent only for the benefit of the residents of such counties, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 317 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 317 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

## Nays—1

Hardin

Absent—Excused

Head

## Senate Bill 393 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 393, A bill to be entitled "An Act amending Section 1 of Chapter 5 of the Acts of the Second Called Session of the Forty-third Legislature as amended by Chapter 459, Acts of the Second Called Session of the Forty-fourth Legislature so as to permit the obtaining of funds by the several named governing boards of State educational institutions from sources other than the United States, or agencies thereof; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 393 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 393 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

## Motion to Reconsider Vote on Senate Bill 418

Senator Sulak moved to reconsider the vote by which S. B. No. 418 was passed and asked to have the motion spread upon the Journal.

## Senate Bill 413 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 413, A bill to be entitled "An Act making it unlawful to take fish or shrimp except with certain prescribed tackle in certain waters of Corpus Christi Bay, Nueces County, Texas; providing a penalty for violation of any provision of the Act; providing for disposition of tackle illegally used, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 413 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 413 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage:

The bill was read third time and was passed by the following vote:

Yeas—29

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—1

Aikin

Absent—Excused

Head

#### Committee Substitute for Senate Bill 283 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

Committee Substitute for S. B. No. 283, A bill to be entitled "An Act to amend Chapter 196, Revised Civil Statutes of 1925, Acts of the Forty-third Legislature, 1933, by adding a new section thereto to be designated as Section 4a and providing that the governing board of several institutions, supported in whole or in part by the State Treasury, shall cause to be collected from students registering in said schools, additional tuition for instruction in the Fine Arts Departments, Schools or Colleges with certain exceptions, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Committee Substitute for Senate Bill 283 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 283 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—1

Aikin

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Head

# **House Bill 807 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 807, A bill to be entitled "An Act ratifying, confirming, and validating all acts of County Boards of Trustees in ordering an election for the purpose of laying out, establishing, combining, abolishing, or changing any independent or common school districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing, or changing any such independent or common school districts; and ratifying, confirming and validating an election of any independent school district held for the purpose of authorizing the issuance of bonds and levying a tax for the payment of said bonds where there has been in the election proceedings of such election in the petition for election, order of the School Board for such election, notice of election and order declaring the results thereof, certain errors and irregularities; providing that this Act shall not affect other districts which may be involved in litigation at the effective date of this Act, and declaring an emergency."

The bill was read second time.

Senator Cotten offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 807 by striking out all above the enacting clause and inserting in lieu thereof the following:

An Act ratifying, confirming, and validating all acts of County Boards of Trustees in any county of this State having a population of not less than 22,570 nor more than 22,600 according to the last preceding or any subsequent Federal Census, ordering an election for the purpose of laying out, establishing, combining, abolishing, or changing any Independent or Common School Districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing, or changing any such Independent or Common

School Districts; and ratifying, confirming, and validating an election of any Independent School District held for the purpose of authorizing the issuance of bonds and levying a tax for the payment of said bonds where there has been in the election proceeding of such election, in the petition for election, order of the School Board for such election, notice of election and order declaring the results thereof, certain errors and irregularities in certain counties; providing that this Act shall not affect districts which may be involved in litigation at the effective date of this Act; and declaring an emergency.

(2)

Amend H. B. No. 807 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That all acts of County Boards of School Trustees in any county in this State having a population of not less than 22,570 nor more than 22,600 according to the last preceding or any subsequent Federal Census, in ordering an election for the purpose of laying out, establishing, combining, abolishing, or changing any Independent or Common School Districts, are hereby in all things ratified, confirmed, and validated, and that all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing, or changing any such Independent or Common School Districts, where the majority of the qualified voters, who voted in said elections, voted in favor of laying out, establishing, combining, abolishing, or changing any such Independent or Common School Districts, are also in all things ratified, confirmed, and validated.

Sec. 2. This Act shall not apply to any district or districts the laying out, establishing, combining, abolishing, or changing of which was not submitted to a vote of the people residing in such district or districts or territories affected thereby, or which may now be involved in litigation.

Sec. 3. Where an election has heretofore been ordered held and carried in any Independent School District in any County having a population of not less than 22,570 nor more than 55,600 according to the last preceding or any subsequent Federal Cen-

sus, for the purpose of authorizing the issuance of bonds of such School District and the levying of a tax for the payment of said bonds, and there has been in the proceedings of such election, in the petition for election, order of the School Board for such election, notice of election and order declaring the results of such election, either of the following errors or irregularities, to wit:

(1) no definite maturity dates of bonds specified, (2) illegal tax rate set, (3) the phrase "resident taxpayer who has duly rendered his property for taxation" omitted, (4) a lower property valuation recommended, (5) a failure to have the proper certificate of the election judge of said election, (6) a conflict in the order of election and the petition for election, order of the School Board calling the election, notice of election, and the order of the School Board declaring the result thereof are hereby ratified, confirmed, and validated; provided, however, that nothing contained in this Act shall be held to waive and destroy any defense against the validity of any bonds other than those based on such errors and irregularities hereinabove specified; providing further, that the provision of this Act shall not apply to or in anywise affect any bonds of any School District which bonds are now in litigation in any Courts of this State.

Sec. 4. The fact that minor irregularities may operate to invalidate bona fide attempts to consolidate Common and Independent School Districts and to vote bond issues and fix tax levies for the payment of same creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The (committee) amendments were adopted severally.

The bill was passed to third reading.

#### House Bill 807 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 807 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

#### Absent—Excused

#### Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

#### Absent—Excused

#### Head

#### Committee Substitute for House Bill 674 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 674, A bill to be entitled "An Act providing for compensation of County Auditors in certain counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

**Committee Substitute for House Bill 674 on Third Reading**

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 674 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

**Absent—Excused****Head**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

**Absent—Excused****Head****House Bill 47 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 47, A bill to be entitled "An Act to amend Article 2462, Revised Civil Statutes of 1925, as amended by Acts of the Forty-first Legislature, Regular Session, Chapter 17, page 46, Section 1, providing for the receiving, lending, and investing of funds of Credit Unions, and the regulating thereof; and amending Article 2475, Revised Civil Statutes of 1925, as amended by Act of 1929, Forty-first Legislature, Regular Session, Chapter 17, page 46, providing for the lending of the capital, deposits and surplus funds of the Association and the deposit thereof; and amending Article 2477, Revised Civil Statutes of 1925, as amended by Act of 1929, Forty-first Legislature, Regular Session, Chapter 17, page 46, Section 1, providing the conditions under which loans may be made by Credit Unions; and amending Article 2484, Revised Civil Statutes of 1925, as amended by Act of 1929, Forty-first Legislature, Second Called Session, Chapter 85, page 168, Section 1, as amended by Act of 1937, Forty-fifth Legislature, Regular Session, Chapter 117, page 217, Section 1, providing for reports to the Banking Commissioner, and the fees therefor, and providing for a penalty for failure to file such reports; and providing for certain exemptions from taxation, and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 47 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**House Bill 527 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 527, A bill to be entitled "An Act to provide for a more adequate and equitable salary of County Superintendents of Public Instruction in all counties of the State of Texas having a population of not less than one hundred and ninety-seven thousand (197,000) and not more than one hundred and ninety-eight thousand (198,000); providing for the traveling expenses and/or office expenses for said offices; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 527 on Third Reading**

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**House Bill 49 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 49, A bill to be entitled "An Act amending Articles 3704, 3705, 3706, 3707, 3709, 3711 and 3738 of the Revised Civil Statutes of 1925; providing for the issuance of subpoenas in civil cases; providing for the style and form of such subpoenas; providing that all witnesses so summoned shall be required to attend court in obedience thereto, and that failing to so attend, any such witness may be fined by the Court as for a contempt of court, and an attachment may issue against the body of such witness to compel attendance; providing that any witness refusing to give evidence may be committed to jail, there to remain without bail until such witness shall consent to give evidence; providing for the taking of depositions of witnesses in civil suits, and that the failure to obtain the deposition of any witness, male or female, residing in the County in which the suit is pending, shall not be regarded as want of diligence where diligence has been used to secure the personal attendance of any such witness by the service of a subpoena or attachment, and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 49 on Third Reading**

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 132 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston

Stone	Van Zandt
of Washington	Weinert
Sulak	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

**House Bill 249 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 249, A bill to be entitled "An Act concerning the liquidation, rehabilitation, reorganization or conservation of insurers doing business in more than one State, and placing same under the Board of Insurance Commissioners; providing for the appointment of a liquidator by the Board of Insurance Commissioners; defining certain words and phrases used in this Act; providing for the appointment of a liquidator of the Board as receiver for an insurer and outlining his duties as such receiver; providing for ancillary delinquency proceedings and providing method of filing claims of resident and non-resident claimants, outlining priority of various types of claims; defining powers of receivers and ancillary receivers, and declaring an emergency."

The bill was read second time.

Senator Pace offered the following amendment to the bill:



(1)

Amend H. B. No. 249 by striking out the words "Board of Insurance Commissioners" in line 13, page 2 of the printed bill; and by striking out the words "Board of Insurance Commissioners" in line 40, page 2 of the printed bill; and by striking out the words "Board of Insurance Commissioners" in line 33, page 3 of the printed bill, and inserting in lieu thereof, in each instance, the words "Chairman of the Board of Insurance Commissioners."

(2)

Amend H. B. No. 249, as printed, by adding the word "reinsuring" following the word "rehabilitating" wherever it appears in the printed bill.

(3)

Amend the caption of H. B. No. 249 by striking out the words "Board of Insurance Commissioners" in line 5, page 1 of the printed bill and insert in lieu thereof the words "Chairman of the Board of Insurance Commissioners."

The amendments were adopted.

The bill was passed to third reading.

#### House Bill 249 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### House Bill 414 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 414, A bill to be entitled "An Act validating all Ordinances of Home Rule Cities in Texas incorporated under and operating under the provisions of the Home Rule Amendment to the Constitution of the State of Texas and under Title 28, Chapter 13 of the Revised Civil Statutes of Texas, 1925, where such Ordinances have been passed in compliance with the charters of such Home Rule Cities and have been published, as provided in such charters, where such charters require same to be published, and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following committee amendments to the bill:

(1)

Amend H. B. 414 by striking all after the word "provided" in Sec. 1 and inserting in lieu thereof the following:

Provided, however, that the provisions of this Act shall not apply to any proceedings, levies, or to any bonds nor warrants issued thereunder, nor to ordinances passed and published in violation of the method and procedure prescribed in said charters, the

validity of which has been contested or attacked in suit or litigation which is pending at the time this Act becomes a law, or which may be filed within 90 days after this Act becomes a law; provided further, that any person, whose rights are adversely affected by an ordinance hereafter enacted in violation of said charter, shall be entitled to injunctive relief in any court of competent jurisdiction upon proper application and satisfactory proof.

(2)

Amend the caption of H. B. No. 414 to conform to the body of the bill so as to read as follows:

"An Act validating all Ordinances of Home Rule Cities in Texas incorporated and operating under the provisions of the Home Rule Amendment to the Constitution of the State of Texas and under Title 28, Chapter 13 of the Revised Civil Statutes of Texas, 1925, where such Ordinances have been enacted in compliance with the Charters of such Home Rule Cities; providing that this Act shall not apply to ordinances, levies or to bonds or warrants issued thereunder, the validity of which has been or will be attacked by suit filed within 90 days after the effective date of Act; and granting to persons adversely affected by ordinances enacted in violation of provisions of said Charter, injunctive relief, and declaring an emergency."

The amendments were adopted.

The bill was passed to third reading.

#### House Bill 414 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 414 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalfe
Graves	Moffett
Hardin	Moore
Hill	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head

#### Minority Report

Senator Moore, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, a minority of your Committee on Civil Jurisprudence, to whom was referred Committee Substitute for

H. B. No. 640, A bill to be entitled "An Act providing that the Supreme Court may grant certain attorneys who have practiced law in a State of the United States for a period of twenty (20) years and hold a license to practice law before the Supreme Court of the United States a license to practice in the State without taking the bar examinations; providing citizens of the State having served in

the House of Representatives twelve (12) consecutive years and having been elected Speaker of the House of Representatives shall be issued a license to practice law upon examination by the Supreme Court of Texas; providing this Act shall be cumulative in case of conflict with other statutes and not repealing the former Act; and declaring an emergency."

Have had the same under consideration and beg leave to report our recommendation that the substitute do pass and be printed, and that this report be in lieu of the majority report unfavorably reporting such substitute bill.

MOORE,  
VAN ZANDT,  
AIKIN.

#### House Bill 339 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 339, A bill to be entitled "An Act providing for a closed season on deer and wild turkey in Bastrop County for a period of five years; providing a suitable penalty for violation of this Act; repealing all conflicting laws, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 339 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 339 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head

#### House Bill 379 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 379, A bill to be entitled "An Act amending Section 1 of H. B. No. 1002, Chapter 363, of the General and Special Laws of the Forty-fifth Legislature, Regular Session, 1937, and Section 4 of Chapter 362, General Laws of the Forty-fourth Legislature, Regular Session, as amended by Chapter 195, General and Special Laws, Forty-fifth Legislature, Regular Session, relating to compensation of County Commissioners in certain counties; providing a saving clause; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 379 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Washington
Kelley	Stone
Lanning	of Galveston
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

## Absent—Excused

## Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Washington
Kelley	Stone
Lanning	of Galveston
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

## Absent—Excused

## Head

## Report of Standing Committee

Senator Nelson, by unanimous consent, submitted at this time the following report of the Committee on Counties and County Boundaries:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 380, A bill to be entitled "An Act applying to counties which have a population of five thousand, five hundred and eighty-six (5,586) in the Federal Census of 1930 and a scholastic population of one thousand, six hundred and ninety-four (1,694) in the scholastic year 1938-1939; and providing exemptions relative to tax rates; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

HARDIN, Chairman.

## Senate Bill 247 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 247, A bill to be entitled "An Act providing that in any Water Control and Improvement District, now existing or hereafter created, having within its boundaries more than one hundred thousand acres of land, and whose boundaries embrace lands within two or more counties, directors may either be elected at elections held in such districts at large as provided by Section 37, Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, 1925, as amended by Section 6, Chapter 107, of the Acts of First Called session of the Fortieth Legislature, 1927; or by the precinct method; prescribing the procedure for adopting such precinct method of electing directors by districts of such classification hereafter created, and by such districts existing at the time this Act takes effect; limiting the terms of office of directors of any such district adopting such precinct method in office at the time of such adoption; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 247 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Hill	Stone
Isbell	of Washington
Kelley	Stone
Lanning	of Galveston
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	

## Nays—1

Winfield

Absent—Excused

Head

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert

## Nays—3

Aikin	Winfield
Stone	
of Washington	

Absent—Excused

Head

## Adjournment

On motion of Senator Weinert, the Senate at 9:50 o'clock p. m., adjourned until 10:00 o'clock a. m., Thursday, April 6, 1939.

## APPENDIX

## Reports of Committees on Engrossed and Enrolled Bills

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 123 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 36 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 155 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 199 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 131 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,  
April 4, 1939.

Hon. Coke R. Stevenson, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 57  
carefully examined, compared and  
read, and find same correctly en-  
grossed.

LANNING, Chairman.

#### Communication

SEGRETARIA DI STATO  
di Sva Santita

Dal Vaticano,  
March 21, 1939.

Luigi Cardinal Maglione, Secretary  
of State to His Holiness, has the hon-  
or to acknowledge receipt of the reso-  
lution of condolence passed by the  
Senate of the State of Texas on the  
death of the late lamented Pope Pius  
XI of venerated memory.

The present gloriously reigning  
Pontiff Pope Pius XII was deeply  
touched by this mark of deferential  
regard for His distinguished and be-  
loved Predecessor, and He has been  
graciously pleased to command that  
an expression of His profound thanks  
and appreciation be conveyed to the  
Senate of the State of Texas.

Mr. Bob Barker, Secretary,  
Senate of the State of Texas (Seal)

#### FORTY-SEVENTH DAY

(Thursday, April 6, 1939)

The Senate met at 10:00 o'clock  
a. m., pursuant to adjournment, and  
was called to order by President Pro  
Tempore Moore.

The roll was called, and the follow-  
ing Senators were present:

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Roberts
Hardin	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston

Stone	Van Zandt
of Washington	Weinert
Sulak	Winfield

Absent—Excused

Head	Redditt
Hill	

A quorum was announced present.

The invocation was offered by the  
Chaplain.

On motion of Senator Aikin and  
by unanimous consent, the reading  
of the Journal of the proceedings of  
yesterday was dispensed with and  
the Journal was approved.

#### Message from the House

A Clerk from the House was rec-  
ognized to present the following  
message:

Hall of the House of Representatives,  
Austin, Texas,  
April 6, 1939.

Hon. Coke R. Stevenson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has concurred in Senate Amendments  
to H. C. R. No. 39 by a viva voce vote.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Reports of Standing Committees

Senator Roberts submitted the fol-  
lowing reports of the Committee on  
Finance:

Austin, Texas,  
April 5, 1939.

Hon. Coke R. Stevenson, President of  
the Senate.

Sir: We, your Committee on Fi-  
nance, to whom was referred

S. B. No. 44, A bill to be entitled  
"An Act making an appropriation of  
\$2,500.00, or so much thereof as may  
be necessary, to pay a certain judg-  
ment rendered on June 16, A. D. 1934,  
in the 126th District Court of Travis  
County, Texas, in Cause No. 52,100,  
wherein Abilene Plumbing Supply  
Company, Inc. (a corporation) is  
plaintiff and the State of Texas and  
the Board of Control of the State of  
Texas are defendants (the cause being  
captioned Standard Manufacturing  
Company vs. Franklin Bros.), for the  
principal sum of \$1,861.20, with inter-  
est at the legal rate of six per cent  
(6%) per annum from the date of